

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In.re Application of: OXVIG, et al.
 Serial No.: 09/983,025
 Filed: October 22, 2001
 For: PREGNANCY-ASSOCIATED PLASMA PROTEIN-A2 (PAPP-A2)
 Confirmation No.: 7756

Art Unit: 1652
 Examiner: STEADMAN, D.
 Washington, D.C.
 Atty.'s Docket: OXVIG-1A
 Date: November 24, 2003



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TECH CENTER 1600/2900

U.S. Patent and Trademark Office
 2011 South Clark Place
 Customer Window
 Crystal Plaza Two, Lobby, Room 1B03
 Arlington, Virginia 22202
 Sir:

Transmitted herewith is an [XX] Election with Traverse and Second Preliminary Amendment in the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- [XX] Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.
- [] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- [] No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)			(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee		Rate	Additional Fee
Total	57	Minus	64	0		x 9	\$		x18	\$
Indep.	1	Minus	4	0		x43	\$		x86	\$
First Presentation of Multiple Dependent Claim						145	\$		+290	\$
TOTAL ADDITIONAL CLAIMS FEE							\$		Total	\$

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petit

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
 [XX] Second - \$ 210.00
 [] Third - \$ 475.00
 [] Fourth - \$ 740.00
 [] Fifth - \$1005.00

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
 [] Second - \$ 420.00
 [] Third - \$ 950.00
 [] Fourth - \$1480.00
 [] Fifth - \$2010.00

[] Less fees (\$) already paid for months extension of time on

[] Please charge my Deposit Account No. 02-4035 in the amount of \$. A duplicate copy of this sheet is attached.

[] A check in the amount of \$ is attached (check no.).

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$210.00 is attached.

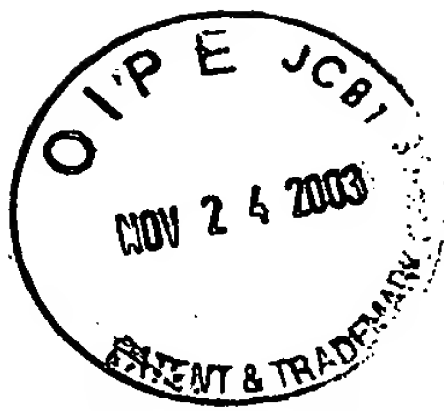
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case.

This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

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By:
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In re Application of:)	Art Unit: 1652
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Serial No.: 09/983,025)	Washington, D.C.
Filed: October 22, 2001)	November 24, 2003
For: PREGNANCY-ASSOCIATED)	Docket No.: OXVIG=1A
PLASMA PROTEIN-A2)	
(PAPP-A2))	Confirmation No.: 7756

ELECTION WITH TRAVERSE

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S i r :

1. In response to the restriction requirement mailed August 29, 2003, Applicants hereby elect group II (claims 12-19) with traverse.

Traversal is on the ground that groups VII, IX, X, XIV, XV and XVIII are properly rejoined with group II pursuant to MPEP 821.04, provided of course, that a claim of group II is deemed allowable.

2. The Examiner mistakenly asserts (point 8) that applicant has failed to comply with the "specific reference" requirement for obtaining the benefit of a prior provisional application under 35 USC 119(e). The Examiner's attention is respectfully directed to page 2 of the October 22, 2001 transmittal letter, which includes an amendment of the specification to assert the benefit of 60/241,840.


3. The Examiner is thanked for calling our attention to the

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error in the dependency of claims 56-58. This is corrected by an amendment filed today.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

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